

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

JOSE A TORRES MARRERO  
MARIA S DIAZ VICENTE  
DEBTOR(S)

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\*  
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CASE NO. 06-00358-SEK  
CHAPTER 13

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**MOTION AND NOTICE OF FILING OF POST-CONFIRMATION  
MODIFICATION OF CHAPTER 13 PLAN**

TO THE HONORABLE COURT:

NOW COME, JOSE A. TORRES MARRERO AND MARIA S. DIAZ VICENTE,  
through the undersigned attorney, and very respectfully state and pray as follows:

1. Debtors are hereby submitting a Post-confirmation Modification of Chapter 13 Plan,  
dated April 26, 2010, herewith and attached to this motion.

**NOTICE TO CREDITORS AND PARTIES IN INTEREST**

NOTICE IS HEREBY GIVEN, that debtors proposed post-confirmation Plan is hereby  
circulated to all creditors and parties in interest. You are hereby notified that you have twenty (20)  
days to reject the proposed modification of this Plan and request a hearing.

I CERTIFY that on this same date a copy of this notice was sent by the Clerk of the Court  
using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also  
certify that I have mailed by United States Postal Service copy of this motion to the following non  
CM/ECF participants: debtors, Jose A. Torres Marrero and Maria S. Diaz Vicente; and to all  
creditors and parties in interest, in the present case.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 29<sup>th</sup> day of April, 2010.

/s/ Roberto Figueroa Carrasquillo  
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United States Bankruptcy Court  
District of Puerto Rico

IN RE:

Case No. **06-00358-SEK**

**TORRES MARRERO, JOSE ANTONIO & DIAZ VICENTE, MARIA SOCORRO**

Chapter **13**

Debtor(s)

**CHAPTER 13 PAYMENT PLAN**

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: **4/26/2010**

☐ AMENDED PLAN DATED: \_\_\_\_\_

☐ PRE ☒ POST-CONFIRMATION

Filed by: ☐ Debtor ☐ Trustee ☐ Other

**I. PAYMENT PLAN SCHEDULE**

\$	<b>225.00</b>	x	<b>9</b>	= \$	<b>2,025.00</b>
\$	<b>375.00</b>	x	<b>11</b>	= \$	<b>4,125.00</b>
\$	<b>450.00</b>	x	<b>26</b>	= \$	<b>11,700.00</b>
\$	<b>0.00</b>	x	<b>5</b>	= \$	<b>0.00</b>
\$	<b>450.00</b>	x	<b>9</b>	= \$	<b>4,050.00</b>

TOTAL: \$ **21,900.00**

Additional Payments:

\$ **21,458.00** to be paid as a LUMP SUM  
within **54 months** with proceeds to come from:

☐ Sale of Property identified as follows:

☒ Other:

**Mortgage Loan Refinancing**

Periodic Payments to be made other than, and in  
addition to the above:

\$ \_\_\_\_\_ x \_\_\_\_\_ = \$ \_\_\_\_\_

PROPOSED BASE: \$ **43,358.00**

**III. ATTORNEY'S FEES**  
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee  
Disclosure Statement: \$ **2,250.00**

Signed: \_\_\_\_\_

Debtor

\_\_\_\_\_  
Joint Debtor

**II. DISBURSEMENT SCHEDULE**

A. ADEQUATE PROTECTION PAYMENTS OR \_\_\_\_\_ \$ \_\_\_\_\_

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. <b>RG MORTGAGE COI</b>	Cr. _____
# <b>(6)</b>	# _____
\$ <b>5,018.90</b>	\$ _____

2. ☒ Trustee pays IN FULL Secured Claims:

Cr. <b>FIRST BANK- AUTO</b>	Cr. _____
# <b>(5)</b>	# _____
\$ <b>21,859.00</b>	\$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

**RG MORTGAGE COI**

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.  
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: \_\_\_\_\_

☐ Paid 100% / ☐ Other: \_\_\_\_\_

Cr. _____	Cr. _____	Cr. _____
# _____	# _____	# _____
\$ _____	\$ _____	\$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)

Debtor to paid balance in pre petition arrears (8,792.34) directly to RG (now BPPR) claim no. 6 through mortgage loan refinancing.

Debtor(s) to provide ADEQUATE PROTECTION PAYMENTS to FIRST BANK thru the Trustee in the sum \$100.00 per month for the next eight months or until confirmation and RETROACTIVE of filing date.

Debtor to provide auto insurance upon maturity to First Bank thru Universal Insurance. \$1,786.00

\*Or as otherwise specified on proof of claim.

Late filed claims filed by creditors will receive no distribution.

"Surrenders collateral": Shares/savings in any Cooperativa/Association/Bank.

Debtor reserves the right to object claims after plan confirmation.

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